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TAGS: SHUM, CT

SUBJECT: HUMAN RIGHTS REPORT

REF:(A) STATE 18330; (B) BANGUI 190; (C) BANGUI

1. UNCLASSIFIED HUMAN RIGHTS REPORT FOR CAE FOLLOWS:
QUOTE: CONSTITUTIONAL RULE RETURNED TO THE CENTRAL
AFRICAN EMPIRE (CAE) AFTER AN ELEVEN-YEAR HIATUS IN
DECEMBER 1976 WITH THE PROCLAMATION OF THE EMPIRE.
DESPITE AUTHORITARIAN RULE, THE CENTRAL AFRICAN RECORD
DURING THE PAST DECADE ON SOME ASPECTS OF HUMAN RIGHTS,
E.G. FREEDOM OF RELIGION AND THE INVOLVEMENT OF WOMEN,
IS FAIRLY GOOD. THE NEW CONSTITUTION CONTAINS A SPECIFIC
BILL OF RIGHTS WHICH GUARANTEES BASIC CIVIL AND RELIGIOUS
LIBERTIES AND SOME POLITICAL RIGHTS. NATIONAL AND PARTY
ELECTIONS SHOULD TAKE PLACE BEFORE THE END OF THE YEAR.
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THE NATION'S HUMAN RIGHTS IMAGE HAS SUFFERED RECENTLY
FROM ISOLATED INDIVIDUAL CASES WHICH HAVE RECEIVED
WIDESPREAD MEDIA ATTENTION -- SUCH AS THE DETENTION OF
TWO WESTERN JOURNALISTS IN JULY 1977, EARLIER (1972) EAR
CUTTING AND PUBLIC BEATING INCIDENTS, AND THE INCONGRUITY
SOME JOURNALISTS SAW IN THE NATURE OF THE CORONATION

CEREMONY IN A POOR COUNTRY.

DURING THE PAST FOUR MONTHS THE GOVERNMENT OF THE CAE HAS ACTIVELY SOUGHT TO IMPROVE ITS HUMAN RIGHTS RECORD. IT HAS ENTERED INTO A GOVERNMENT-TO-GOVERNMENT HUMAN RIGHTS DIALOGUE WITH THE UNITED STATES; MADE DECISIONS AND ADOPTED POLICIES DESIGNED TO AMELIORATE THE SITUATION; AND STRONGLY REITERATED ITS INTENTION TO CONTINUE THE CURRENT TREND.

1. RESPECT FOR INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

A. TORTURE

THE EXTENT TO WHICH TORTURE IS UTILIZED, IF AT ALL, IS UNKNOWN.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

PRISON CONDITIONS ARE INADEQUATE BY INTERNATIONAL STANDARDS. DETAINEES ARE MISTREATED AND BEATINGS ARE A COMMON FORM OF DISCIPLINE.

THE LAST INCIDENT OF PUBLIC MUTILATION TOOK PLACE IN 1972 WHEN THE RIGHT EARS OF SEVERAL CONVICTED THIEVES LIMITED OFFICIAL USE

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WERE REMOVED. THIS INCIDENT RECEIVED A CONSIDERABLE AMOUNT OF UNFAVORABLE EXTERNAL PUBLICITY. PARTIALLY AS A RESULT OF THE EXTREMELY NEGATIVE FOREIGN REACTION, THE GOVERNMENT DECIDED TO STOP THE PRACTICE. THE DISMEMBERMENT STATUTES HAVE BEEN REPEALED AND NO FURTHER INCIDENTS HAVE BEEN REPORTED.

IN JULY 1977 TWO WESTERN JOURNALISTS WERE ARRESTED FOR VIOLATION OF CAE IMMIGRATION AND CENSORSHIP LAWS. THE AMERICAN WAS SUMMARILY EXPELLED, BUT THE BRITON WAS BEATEN AND INCARCERATED FOR A MONTH. HE WAS LATER EXPELLED WHEN THE GOVERNMENT DECIDED NOT TO PRESS CHARGES.

C. ARBITRARY ARREST OR IMPRISONMENT

ACCORDING TO LOCAL LAW, DETENTION WITHOUT CHARGES IS LIMITED TO THREE DAYS, BUT CAN BE PROLONGED TO SIX DAYS. AT THAT POINT, A DETAINEE MUST EITHER BE FORMALLY CHARGED OR PERMITTED TO GO FREE. IN PRACTICE, HOWEVER, THE PREVENTIVE DETENTION OF MANY PERSONS IS PROLONGED WITHOUT JUDICIAL RECOURSE.

SEVERAL OF THE SEVEN POLITICAL PRISONERS REPORTED BY AMNESTY INTERNATIONAL IN FEBRUARY 1977 WERE RELEASED IN DECEMBER 1977.

D. DENIAL OF FAIR PUBLIC TRIAL

THE LEGAL SYSTEM OF THE CAE IS PATTERNED ON THE FRENCH JUDICIAL SYSTEM. A NUMBER OF CONSCIENTIOUS JURISTS ATTEMPT TO SEE THAT LAWS ARE JUSTLY EXECUTED AND THAT CORRECT LEGAL PROCEDURES ARE APPLIED IN A FAIR AND PUBLIC MANNER.

A POTENTIAL CHALLENGE TO THE AUTHORITY OF THE TRADITIONAL CIVIL COURT STRUCTURE IS THE PERMANENT MILITARY TRIBUNAL. LIMITED OFFICIAL USE

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THE JURISDICTION OF THE TRIBUNAL NOW EXTENDS TO ALL POLITICAL CRIMES AND ALL CASES OF EMBEZZLEMENT OR MIS-APPROPRIATION OF STATE FUNDS OR PROPERTY. THE NOTABLE HUMAN RIGHTS ASPECTS OF THE TRIBUNAL INCLUDE: 1) NO RIGHT TO COUNSEL, 2) NO RIGHT OF APPEAL, 3) RESTRICTION TO THE EMPEROR OF THE DECISION TO PROSECUTE BEFORE THE PERMANENT MILITARY TRIBUNAL.

E. INVASION OF THE HOME

INVIOABILITY OF THE HOME IS GUARANTEED IN THE NEW IMPERIAL CONSTITUTION. IN PRACTICE IT IS NOT RESPECTED IN POLITICALLY-RELATED CASES.

2. RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION

THE DEVELOPMENT STRATEGY OF THE GOVERNMENT OF THE CENTRAL AFRICAN EMPIRE IS SUMMED UP IN THE NATIONAL SLOGAN, "TO CLOTHE, TO HOUSE, TO FEED, TO CARE FOR, AND TO EDUCATE".

WITHIN THE LIMITED RESOURCES AVAILABLE TO IT, AND WITH THE ASSISTANCE OF FOREIGN DONORS, THE NATION HAS HAD SOME SUCCESS IN IMPLEMENTING THIS MANDATE. EXPANSION OF HEALTH, EDUCATION, AND AGRICULTURAL SERVICES HAS HIGH PRIORITY AS DOES THE CREATION OF A RURAL DEVELOPMENT CORPS.

CORRUPTION EXISTS, BUT IT IS DIFFICULT TO ESTABLISH THE EXTENT TO WHICH CORRUPTION HINDERS THE ACHIEVEMENT OF NATIONAL ECONOMIC GOALS. WHEN CAUGHT, OFFENDING OFFICIALS LIMITED OFFICIAL USE

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ARE IMPRISONED.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, RELIGION, PRESS
AND ASSEMBLY

THE CAE CONTINUES TO ENJOY A GOOD RECORD CONCERNING THE
FREEDOM OF RELIGION. RELIGIOUS ORGANIZATIONS ARE AN
INTEGRAL PART OF LIFE IN THE CAE AND ARE PROTECTED BY
THE NEW CONSTITUTION. THE RIGHT OF ACCESS TO KNOWLEDGE,
RIGHT OF ASSOCIATION, RIGHT OF PRIVACY ARE ALSO GUARANTEED,
EXCEPT WHEN DEEMED INTERFERENCE WITH THE SECURITY OF THE
STATE. INTERNATIONAL MAIL IS REGULARLY CENSORED.

THE PRESS IS GOVERNMENT-CONTROLLED AND ASSEMBLY FOR
POLITICAL PURPOSES IS SUBJECT TO GOVERNMENT AUTHORIZATION.
THERE IS IN PRACTICE FLEXIBILITY WITHIN THE SYSTEM AND
SOME LIMITED FREEDOM OF EXPRESSION. FOR EXAMPLE, THE
AMERICAN AMBASSADOR WAS RECENTLY ASKED TO DEBATE U.S.
HUMAN RIGHTS POLICIES ON NATIONAL TELEVISION. THE
GOVERNMENT DOES NOT SEEK TO IMPOSE IDEOLOGICAL CONFORMITY
OR RESTRICT INTELLECTUAL ENQUIRY.

THE NATIONAL TRADE UNION IS A GOVERNMENT SPONSORED
INSTITUTION. NONETHELESS, IT HAS IN THE PAST HAD LATITUDE
FOR INDEPENDENT ACTION ON BREAD-AND-BUTTER ISSUES AND
NEGOTIATION WITH EXPATRIATE EMPLOYERS.

B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY,
FOREIGN TRAVEL AND EMIGRATION

ALTHOUGH THERE ARE SECURITY CHECKS FOR TRAVELERS, THERE
ARE FEW LIMITATIONS ON MOVEMENT WITHIN THE COUNTRY.
THERE ARE FEW RESTRICTIONS ON FOREIGN TRAVEL OR EMIGRATION.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL

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PROCESS

THE DECEMBER 1976 CHANGE IN THE FORM OF GOVERNMENT FROM
REPUBLIC TO MONARCHY MARKED THE GOVERNMENT'S ANNOUNCED
INTENT TO RESTORE DEMOCRATIC INSTITUTIONS. THE CONSTI-
TUTION CALLS FOR CREATION OF A NATIONAL ASSEMBLY WHICH
WILL JOIN THE EXECUTIVE BRANCH AS ONE OF THE TWO MAIN

ELEMENTS OF THE GOVERNMENT, UNDER THE OVERALL SUPERVISION OF THE EMPEROR. ALL DEPUTIES WILL BE REQUIRED TO BE MEMBERS OF THE SOLE POLITICAL PARTY AND WILL ENJOY LIMITED PARLIAMENTARY IMMUNITY. PARTY AND NATIONAL ELECTIONS SHOULD TAKE PLACE IN 1978. ALL ADULTS WILL BE ELIGIBLE TO VOTE.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS

NO OUTSIDE INDEPENDENT ORGANIZATIONS, TO THE BEST OF OUR

KNOWLEDGE, HAVE REQUESTED PERMISSION TO INVESTIGATE HUMAN RIGHTS VIOLATIONS IN THE CENTRAL AFRICAN EMPIRE, DESPITE THE RECENT DETENTIONS OF TWO WESTERN JOURNALISTS. THE CENTRAL AFRICAN EMPIRE INVITED AMNESTY INTERNATIONAL TO VISIT THE CAE AND TO ATTEND THE CORONATION CEREMONIES. END QUOTE.

2. DEPARTMENT CONCURS WITH SCENARIO PROPOSED REFTEL B. COPY OF ABOVE REPORT WILL BE GIVEN TO AMBASSADOR MAIDOU JAN. 31 ALONG WITH OTHER AF/C COUNTRY REPORTS. DEPARTMENT WILL PROVIDE HIM AND YOU WITH FULL PACKAGE ASAP. TRANSLATION IN PROGRESS AND WILL BE CABLED SOONEST.

3. DEPARTMENT CAREFULLY REVIEWED YOUR REQUEST FOR LIMITED OFFICIAL USE

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DELETION OF MENTION OF CORONATION (BANGUI 199). ONE REFERENCE WAS REMOVED. IT WAS DECIDED THAT IN ORDER TO REMAIN CREDIBLE TO CONGRESS SECOND PARAGRAPH REFERENCE TO IMAGE PROBLEM EXACERBATED BY CORONATION SHOULD REMAIN. AS REPHRASED, SENTENCE DOES NOT CONSTITUTE USG COMMENT ON CORONATION, BUT FACTUAL STATEMENT SUMMARIZING PRESS REPORTING OF THE EVENT. DEPARTMENT WILL ALSO MAKE THIS POINT WITH MAIDOU JAN. 31.

4. DECONTROL UPON RECEIPT. VANCE

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